



1054

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
Juan Antonio LOPEZ-Rodarte,  
  
Defendant.

Magistrate Case No.:

**'08 MJ 8678**

COMPLAINT FOR VIOLATION OF  
21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

That on or about July 24, 2008, within the Southern District of California, defendant Juan Antonio LOPEZ-Rodarte did knowingly and intentionally import approximately 30.14 kilograms (66.31 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Chad N. Worgen, Special Agent  
U.S. Immigration and  
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 25th  
DAY OF JULY 2008.

Peter C. Lewis  
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Juan Antonio LOPEZ-Rodarte

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes furnished to United  
6 States Immigration and Customs Enforcement Special Agent Chad N. Worgen.

7 On July 24, 2008, at approximately 1830 hours, Juan Antonio LOPEZ-Rodarte entered  
8 the United States from Mexico at the Calexico, California West Port of Entry. LOPEZ was the  
9 driver, sole occupant, and registered owner of a 1996 Dodge Neon.

10 Customs and Border Protection Officer (CBPO) J. Becerra was assigned primary  
11 inspection duties and received a negative oral Customs declaration from LOPEZ. During  
12 inspection of the vehicle, CBPO Becerra observed the vehicle was very clean, there was a single  
13 key in the ignition, the vehicle was recently registered, and the gasoline tank sounded solid when  
14 tapped. LOPEZ and the vehicle were sent to the secondary lot for an intensive inspection.

15 CBPO J. Ibarra was assigned secondary inspection duties and received a negative oral  
16 Customs declaration from LOPEZ. During questioning, Canine Enforcement Officer (CEO) E.  
17 Barroso screened the vehicle with his Narcotics Human Detector Dog (NHDD). CEO Barroso  
18 informed CBPO Ibarra that his NHDD had alerted to the vehicle. CBPO Ibarra conducted an  
19 intensive inspection of the vehicle and discovered packages located within the gasoline tank and  
20 quarter panels. A total of thirty-five (35) packages were removed. CBPO Ibarra probed a  
21 package, and it produced a green leafy substance that tested positive for marijuana. The total  
22 weight of the marijuana was 30.14 kilograms (66.31 pounds).

23 LOPEZ was arrested for violation of 21 United States Code 952 and 960, Importation of  
24 Controlled Substances. LOPEZ was advised of his rights, per Miranda, which he acknowledged  
25 and waived. LOPEZ agreed to be interviewed. LOPEZ admitted knowledge of controlled  
26 substances within the vehicle.  
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